

AMENDED IN SENATE AUGUST 31, 2001

AMENDED IN SENATE JUNE 21, 2001

AMENDED IN ASSEMBLY APRIL 19, 2001

AMENDED IN ASSEMBLY MARCH 28, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 636

Introduced by Assembly Member Steinberg

February 22, 2001

An act to add Section 10601.2 to the Welfare and Institutions Code, relating to public social services, *and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

AB 636, as amended, Steinberg. Child welfare services.

Under existing law, the State Department of Social Services oversees the administration of county public social services, including child welfare services.

This bill would enact the Child Welfare System Improvement and Accountability Act of 2001. This bill would require the department to establish, by ~~July~~ April 1, 2003, the California Child and Family Service Review System, in order to review, commencing ~~July~~ January 1, 2004, all county child welfare systems.

This bill would, by ~~July~~ October 1, 2002, require the California Health and Human Services Agency to convene a ~~work-group~~ *workgroup* comprised of representatives of specified entities and organizations, to establish a work plan by which the child and family

service reviews shall be conducted. It would require the department to take various measures to assist counties in ensuring that these outcomes are met.

This bill would appropriate \$100,000 from the General Fund to the agency to convene the workgroup required under the bill.

Vote: ~~majority~~ ²/₃. Appropriation: ~~no~~ yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) The State of California has failed in its fundamental
4 obligation to protect and care for children removed from their
5 homes due to parental abuse and neglect.

6 (b) Despite incremental legislative efforts and laudable pilot
7 projects proven to improve outcomes for the more than 100,000
8 children in California's child welfare care system and to preserve
9 families, successful programs have not been appropriately
10 replicated or adequately funded to serve all the children and
11 families who need them.

12 (c) California is not making maximum use of the federal money
13 from Title IV-E of the federal Social Security Act, available to the
14 State of California to improve outcomes for children and families
15 in the child welfare system.

16 (d) The child welfare system, including the state, the counties,
17 and the courts, suffers from the lack of a cohesive structure, state
18 leadership, communication between agencies serving foster
19 children and youth, and clear goals. There is no statewide
20 accountability system for child and family outcomes.

21 (e) The 1994 amendments to the federal Social Security Act
22 (Public Law 103-432) authorize the United States Department of
23 Health and Human Services to review state child and family
24 service programs in order to assure compliance with the state plan
25 requirements in Titles IV-B and IV-E of that act. The reviews cover
26 child protective services, foster care, adoption, family
27 preservation, family support, and independent living. California is
28 scheduled for review in September 2002. Failure to substantially
29 comply with seven specific outcomes measuring child well-being
30 and seven specific systemic factors that affect quality of services



1 delivered to children and families may result in loss of federal
2 dollars provided pursuant to Title IV-E of the federal Social
3 Security Act, the major source of funding for California's child
4 welfare system.

5 (f) Many abused and neglected children who are removed from
6 their homes have been subject to "foster care drift," moving from
7 placement to placement without desirable family stability,
8 educational stability, or appropriate care. Many children beyond
9 infancy are placed in expensive group homes, without regard to
10 service needs, and a substantial number have been designated as
11 "unadoptable."

12 (g) There is a high correlation between children in the child
13 welfare system and those subsequently in the juvenile and adult
14 corrections systems, with this correlation being linked to such
15 factors as high teen pregnancy and high school dropout rates,
16 unaddressed physical or mental health needs, homelessness, and
17 lack of adequate job skills, education, or training to become or
18 remain employed.

19 (h) Accordingly, in order to provide greater accountability for
20 child and family outcomes in California's child welfare system and
21 to encourage the state leadership that is necessary to identify and
22 replicate best practices to assure that the unique and critical needs
23 of these children and their families are met, the Legislature enacts
24 the Child Welfare System Improvement and Accountability Act of
25 2001.

26 SEC. 2. This act shall be known and may be cited as the Child
27 Welfare System Improvement and Accountability Act of 2001.

28 SEC. 3. Section 10601.2 is added to the Welfare and
29 Institutions Code, to read:

30 10601.2. (a) The State Department of Social Services shall
31 establish, by ~~July~~ April 1, 2003, the California Child and Family
32 Service Review System in order to review all county child welfare
33 systems. These reviews shall cover child protective services, foster
34 care, adoption, family preservation, family support, and
35 independent living.

36 (b) Child and family service reviews shall ~~ensure maximum~~
37 *maximize* compliance with *the* federal regulations for the receipt
38 of money from Subtitle E (commencing with Section 470) of Title
39 IV of the federal Social Security Act (42 U.S.C. Sec. 670 and
40 following) and ensure compliance with state plan requirements set

1 forth in Subtitle B (commencing with Section 421) of Title IV of
2 the federal Social Security Act (42 U.S.C. Sec. 621 and
3 following).

4 (c) (1) By ~~July~~ *October* 1, 2002, the California Health and
5 Human Services Agency shall convene a ~~work-group~~ *workgroup*
6 comprised of representatives of the Judicial Council, the State
7 Department of Social Services, the State Department of Health
8 Services, the State Department of Mental Health, the State
9 Department of Education, the Department of Child Support
10 Services, the State Department of Justice, any other state
11 departments or agencies the California Health and Human
12 Services Agency deems necessary, the County Welfare Directors
13 Association, the California State Association of Counties, the
14 Chief Probation Officers of California, the California Youth
15 Connection, and representatives of California ~~Tribal~~
16 ~~Organizations~~ *Tribes*, interested child advocacy organizations,
17 researchers, and foster parent organizations. The ~~work-group~~
18 *workgroup* shall establish a work plan by which child and family
19 service reviews shall be conducted pursuant to this section,
20 including a process for qualitative peer reviews ~~and~~ of case
21 information.

22 (2) At a minimum, ~~the work plan shall include in establishing~~
23 *the work plan, the workgroup shall consider any existing federal*
24 *program improvement plans entered into by the state pursuant to*
25 *federal regulations*, the outcome indicators to be measured,
26 compliance thresholds for each indicator, timelines for
27 implementation, county review cycles, uniform processes,
28 procedures and review instruments to be used, *a corrective action*
29 *process*, and any funding or staffing increases needed to
30 implement the requirements of this section. The agency shall
31 broadly consider collaboration with all entities to allow the
32 adequate exchange of information and coordination of efforts to
33 improve outcomes for foster youth and families.

34 (3) In establishing compliance thresholds for each outcome
35 measure, the ~~work-group~~ *workgroup* shall take into consideration
36 the extent to which the child welfare system is funded to meet the
37 minimum workload standards recommended by the study
38 conducted pursuant to Chapter 785 of the Statutes of 1998.

39 ~~(d) (1) For the purposes of the first review conducted in each~~
40 ~~county pursuant to this section, the child and family service review~~

1 ~~outcome indicators shall consist of federal child and family service~~
2 ~~review measures and standards for child and family outcomes and~~
3 ~~system factors authorized by the 1994 amendments to the federal~~
4 ~~Social Security Act and published in the Federal Register on~~
5 ~~January 25, 2000, or any subsequent regulations that replace them.~~

6 ~~(2)–~~

7 *(d) (1) The California Child and Family Service Review*
8 *System outcome indicators shall be consistent with the federal*
9 *child and family service review measures and standards for child*
10 *and family outcomes and system factors authorized by Subtitle B*
11 *(commencing with Section 421) and Subtitle E (commencing with*
12 *Section 670) of Title IV of the federal Social Security Act and the*
13 *regulations adopted pursuant to those provisions (Parts 1355 to*
14 *1357, inclusive, of Title 45 of the Code of Federal Regulations).*

15 *(2) During the first review cycle pursuant to this section, each*
16 *county shall be reviewed according to the outcome indicators*
17 *established for the California Child and Family Service Review*
18 *System.*

19 *(3) For subsequent reviews, the ~~work group~~ workgroup shall*
20 *consider whether to establish additional outcome indicators that*
21 *support the federal outcomes and any program improvement plan,*
22 *and promote good health, mental health, behavioral, educational,*
23 *and other relevant outcomes for children and families in*
24 *California's child welfare services system.*

25 *(e) The State Department of Social Services shall identify and*
26 *promote the replication of best practices in child welfare service*
27 *delivery to achieve the measurable outcomes established pursuant*
28 *to subdivision (d).*

29 *(f) The State Department of Social Services shall report to the*
30 *Assembly and Senate Budget Committees annually, beginning*
31 *with the ~~2001–02~~ 2002–03 fiscal year, on both of the following:*

32 *(1) The department's progress in planning for the federal child*
33 *and family service review to be conducted by the United States*
34 *Department of Health and Human Services and, upon completion*
35 *of the federal review, the findings of that review, the state's*
36 *response to the findings, and the details of any ~~Program~~*
37 *~~Improvement Plan~~ program improvement plan entered into by the*
38 *state.*

39 *(2) The department's progress in implementing the California*
40 *child and family service reviews, including, but not limited to the*

1 timelines for implementation, the process to be used, and any
2 funding or staffing increases needed at the state or local level to
3 implement the requirements of this section.

4 (g) Effective ~~July~~ April 1, 2003, the existing county
5 compliance review system shall be suspended to provide to the
6 State Department of Social Services sufficient lead time to provide
7 training and technical assistance to counties for the preparation
8 necessary to transition to the new child and family services review
9 system.

10 (h) Beginning January 1, 2004, the department shall commence
11 individual child and family service reviews of California counties.
12 County child welfare systems that do not meet the established
13 compliance thresholds for the outcome measures that are reviewed
14 shall receive technical assistance from teams made up of state and
15 peer-county administrators to assist with implementing best
16 practices to improve their performance and make progress toward
17 meeting ~~these thresholds~~. *established levels of compliance.*

18 *SEC. 4. The sum of one hundred thousand dollars (\$100,000)*
19 *is appropriated from the General Fund to the California Health*
20 *and Human Services Agency for expenditure for purposes of*
21 *convening a workgroup as required pursuant to subdivision (c) of*
22 *Section 10601.2 of the Welfare and Institutions Code.*

